

1. Introduction

This document is intended to provide guidance on the ISPS Code during inspections. The PSCO should be aware of the security level of the port facility at which a ship is to be inspected.

Reports or complaints, which relate to security received by PSCO's prior to boarding the ship should be passed to the competent security authority who will decide on priority for security inspection by an Officer Duly Authorised for Security.

While the Master of a ship has discretion for ship security, they are not entitled to deny access to a duly authorised PSCO to carry out an inspection of the vessel. There may be cases when it is mandatory to carry out a port state control inspection but the master attempts to limit the inspection on grounds of security. If the PSCO considers this to be unreasonable they should consult the competent security authority.

PSCO's should be aware that on a ship at security level 3 the protective measures set up might restrict the scope of the "safety" port State control inspection. For example, a full emergency drill may not be allowed. There may also be circumstances where the competent security authority restricts port state control activity. PSCOs should be guided by their national policy around attending vessels in ports at security level 3.

2. Inspection

2.1 Initial inspection

During the initial inspection the PSCO should:

1. take note of the security aspects listed in the Annex 1. PSCO's are not required to test the security system and should only consider those aspects which arise during the course of their normal business on board;
2. verify that the ship carries an International Ship Security Certificate (ISSC) issued by the ship's Administration, a Recognised Security Organisation authorised by it or by another Contracting Government at the request of the Administration;
3. check that the ship security officer (SSO), designated by the Company, holds a certificate of proficiency for SSO;
4. ask the Master with which security level the ship is complying and confirm that this is at least the level imposed by the port, and;
5. verify that security drills have been carried out at appropriate intervals.

Further guidance is provided in [Annex 1](#).

3. Clear grounds

The PSCO may establish clear grounds during the initial PSC inspection as follows:

1. ISSC is not valid or it has expired;
2. SSO does not hold a valid certificate of proficiency;
3. The ship is at a lower security level than the port;
4. Drills related to the security of the ship have not been carried out;

5. Evidence from observations of aspects listed in Annex 1 that serious deficiencies exist in security arrangements.
6. If the ship holds a subsequent, consecutively issued interim ISSC as described in Section A/19.4 of the ISPS Code and in the professional judgement of the PSCO one of the purposes of the ship or company in requesting such a certificate is to avoid full compliance with Chapter XI-2 of SOLAS 1974 and Part A of the ISPS Code beyond the period of the initial interim ISSC.

Note the above mentioned list is not considered exhaustive.

.2. If clear grounds as described above are established the PSCO will immediately inform the competent security authority (unless the PSCO is also a Officer Duly Authorised for Security). The competent security authority will then decide on what further control measures are necessary taking into account the security level in accordance with Regulation 9 of SOLAS Ch.XI-2.

.3 Clear grounds other than those above are a matter for the Officer Duly Authorised for Security and are detailed in ISPS Code Part B paragraph 4.33.

4. Deficiencies

If the competent security authority is informed the action taken "competent security authority informed" should be recorded against each relevant deficiency (Action Code 26).

If the competent security authority get involved with the vessel, further guidance for the PSCO is available at [Annex 2](#).

If there is no valid International Ship Security Certificate (ISSC) or Interim ISSC onboard the PSCO should consider the vessel for detention.

Annex 1

Security Aspects at Initial Inspection

As a guide the PSCO should take note of the following security aspects during the initial inspection, taking into account the security level imposed by the ship and the port:

Note: Non-compliance with one or more particular aspects may not necessarily constitute a failure to comply with mandatory requirements of Chapter XI-2 or Part A of the ISPS Code. Many of the references below are from Part B of the ISPS Code. Part B provides guidance and these are not mandatory requirements, however, these can provide a useful framework to consider if there are clear grounds to contact the Competent Security Authority.

1. Ships at Security Level 1

ACCESS TO SHIP WHEN IN PORT		
Security Aspect		Reference
<input type="checkbox"/>	Is there some form of control on the walkways or access points to the vessel?	Part A, section 7.2.2
<input type="checkbox"/>	Is it noticeable that the ship has controls in place as you approach it?	Part A, section 7.2.4
<input type="checkbox"/>	Are the identities of all persons seeking to board the ship checked?	Part A, section 7.2.34 Part B, section 9.14.1
Ramps, walkways or any access points to a vessel should be controlled.		
<input type="checkbox"/>	Is there some form of control on the walkways or access points to the vessel?	Part A, section 7.2.2
<input type="checkbox"/>	Is it noticeable that the ship has controls in place as you approach it?	Part A, section 7.2.4
<input type="checkbox"/>	Are the identities of all persons seeking to board the ship checked?	Part A, section 7.2.3 Part B, section 9.14.1
Additionally for passenger ships control		
<input type="checkbox"/>	In liaison with port facility, have designated secure areas been established for searching	Part B, section 9.14.2
<input type="checkbox"/>	Are checked persons and their personal effects segregated from unchecked persons and their effects?	Part B, section 9.14.4
<input type="checkbox"/>	Are embarking passengers segregated from disembarking passengers?	Part B, section 9.14.5
<input type="checkbox"/>	Has access been secured to unattended spaces adjoining areas to which passengers and visitors have access?	Part B, section 9.14.7
ACCESS TO BRIDGE, ENGINE ROOM AND OTHER SENSITIVE AREAS		
<input type="checkbox"/>	Are the bridge and engine room capable of being locked or secured?	Part B, section 9.21.1
<input type="checkbox"/>	Are the bridge and engine room locked or is access otherwise controlled (e.g. by being manned or using surveillance equipment to monitor the areas)?	Part B, section 9.22.2

<input type="checkbox"/>	Are doors to restricted areas locked (steering gear, machinery spaces, air conditioning plants, etc)?	Part B, sections 9.21.1 - 9)
<input type="checkbox"/>	Are Restricted Areas marked?	Part B, section 9.20
MONITORING THE SECURITY OF THE SHIP		
<input type="checkbox"/>	Is it noticeable that there are deck watches in place during your inspection, or that guards or security patrols are being undertaken in the locality of the vessel, or that surveillance equipment is being used to monitor the areas? Security watches provided by shore services are acceptable.	Part B, sections 9.22.2 and 3
<input type="checkbox"/>	Do the deck watches take account of both landward and seaward approaches?	Part B, section 9.46.1 and 2
CHECKS AND SEARCHES OF SHIPS' STORES AND PROVISIONS		
<input type="checkbox"/>	Are ships stores being checked before being loaded for signs that they have been tampered or interfered with?	Part B, section 9.23, 9.47.2
<input type="checkbox"/>	Are checks made to ensure stores match the order prior to being loaded	Part B, section 9.35.1
<input type="checkbox"/>	Are stores securely stored once loaded	Part B, section 9.35.2

2. Ships at Security Level 2

ACCESS TO SHIP WHEN IN PORT		
Security Aspect		Reference
<input type="checkbox"/>	Have the number of access points been limited?	Part B, section 9.16.2
<input type="checkbox"/>	Have steps been taken to deter waterside access to the ship, <i>which may be implemented in conjunction with the port facility?</i>	Part B, section 9.16.3
<input type="checkbox"/>	Has a restricted area on the shore-side of the ship been established, <i>which may be implemented in conjunction with the port facility?</i>	Part B, section 9.16.4
<input type="checkbox"/>	Are visitors escorted on the ship?	Part B, section 9.16.6
<input type="checkbox"/>	Can the master confirm that full or partial searches of the ship have been carried out?	Part B, section 9.16.8
<input type="checkbox"/>	Can the master confirm that an additional security briefing has been carried out?	Part B, section 9.16.7
ACCESS TO BRIDGE, ENGINE ROOM AND OTHER SENSITIVE AREAS		
<input type="checkbox"/>	Have Restricted Areas been established adjacent to access points, in order to avoid a large number of persons congregating in those areas?	Part B, section 9.23.1
MONITORING THE SECURITY OF THE SHIP		
	If surveillance equipment is being used, is it being monitored at frequent intervals?	Part B, section 9.23 and 9.47.2
	Are there additional personnel dedicated to guard and patrol restricted areas in place?	Part B, section 9.16.1 and 9.47.3

Annex 2

Further control measures

1. As per SOLAS Ch XI-2 Regulation 9, the competent security authority can implement control measures on vessels, including expulsion.
2. Subject to national legislation and arrangements the competent security authority may request the PSCO to make further verifications before implementing control measures. These are under the direction of the National Competent Security Authority.

3. Section 9.8.1 of Part A of the ISPS Code identifies the limitations on access by PSCO to specific sections of the Ship Security Plan. Where the only means to verify or rectify the non-compliance is to review the relevant requirements of the ship security plan, limited access to specific sections of the plan relating to the non-compliance is exceptionally allowed, but only with the consent of the Contracting Government, or the master, of the ship concerned. These specific sections are listed in the table below:

Areas of Plan which may be inspected with consent of Contracting Government of ship or Master of ship

Area of Plan	ISPS Ref.
Prevention of introduction of non-authorized articles	A/9.4.1
Prevention of unauthorized access to the ship	A/9.4.3
Evacuation of the ship	A/9.4.6
Auditing security activities	A/9.4.8
Training, drills and exercises	A/9.4.9
Interfacing with port facility security activities	A/9.4.10
Review of ship security plan	A9.4.11
Reporting security incidents	A/9.4.12
Identification of the ship security officer	A/9.4.13
Identification of the company security officer	A/9.4.14
Frequency of testing or calibration of security equipment	A/9.4.16
Security of Ship Security Assessment and Plan	A/9.6
Security activities not covered by ISPS code	B/9.51

4. Provisions of the plan relating to certain confidential information cannot be subject to inspection unless agreed by the Contracting Government concerned. These specific sections are listed in the table below:

Areas of Plan which may be inspected ONLY with consent of Contracting Government of ship

Area of Plan	ISPS Ref.
Restricted areas	A/9.4.2
Responding to security threats or breaches of security, including frequency of inspection data	A9.4.4
Responding to any security instructions at security level 3	A/9.4.5
Duties of those assigned security responsibilities	A9.4.7
Procedures for maintenance of security equipment	A/9.4.15
Ship security alert system	A9.4.17&18

5. When the competent security authority takes further control actions, which limit the scope of or prevent the completion of a port State control inspection, the PSCO should liaise with the competent security authority and endeavour to complete the safety inspection when the ship has been cleared without unduly delaying the ship.

6. If the competent security authority decides to expel the ship the PSCO should ensure that the competent security authority is made fully aware of the possible safety and/or environmental consequences of the ship leaving. This may include risks arising from the interruption of cargo operations.

7. An expulsion would not mean that safety deficiencies were rectified. The inspection should be entered into THETIS with a ship related action "expelled on security grounds". The final action taken for any outstanding deficiencies should be recorded as "rectify at next port" and the next port informed if it is known and in the Paris MOU. If not, then the final action taken should be recorded as "rectify before departure" and the following Overriding Factor ship-related message added (Member State Report):

- "Ship expelled on security grounds- outstanding non-security deficiencies".

8. If a ship is detained on non-security grounds by the PSCO but then expelled before the ship is finally released, the detention will count towards a ban under the MOU for multiple detentions. As the vessel has sailed under direction of the competent security authority, it should not be considered as a "jumped" detention.